

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

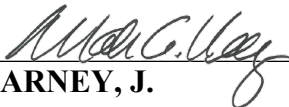
MARTIN J. WALSH, SECRETARY OF : CIVIL ACTION
LABOR, UNITED STATES :
DEPARTMENT OF LABOR :
:
v. : NO. 20-4308
:
TRIMED HEALTHCARE, LLC, :
BEVERLY JORDAN :

ORDER

AND NOW, this 8th day of August 2022, upon considering Plaintiff's Motion for summary judgment (ECF Doc. No. 25), Defendant's Response (ECF Doc. No. 26), Plaintiff's Reply (ECF Doc. No. 29), and Defendants' Sur-reply (ECF Doc. No. 32), finding Defendants concede liability on several issues but genuine disputes of material fact regarding Defendants' willfulness, calculation of damages, Plaintiff's entitlement to liquidated damages, and entry of injunctive relief without a hearing require a jury trial, and for reasons in the accompanying Memorandum, it is **ORDERED** Plaintiff's Motion for summary judgment (ECF Doc. No. 25) is **GRANTED in part** and **DENIED in part** as we:

1. **GRANT** partial summary judgment under Federal Rule 56(a)(g) in Plaintiff's favor finding Defendants' employees are subject to the Fair Labor Standards Act, Defendant Jordan is an "employer" under the Act, Defendants violated the Act by failing to pay overtime and compensable travel time, and Defendants failed to maintain and preserve accurate employee records; but,

2. **DENY** summary judgment on the issues of Defendants' willfulness, Plaintiff's entitlement to liquidated damages, the amount of back wages Defendants owe, and the appropriateness and scope of the requested injunctive relief.



KEARNEY, J.